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P.O. Box 1920  
Denver, Colorado 80201-1920

ATTORNEY DOCKET NO. 10030187-1

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FEB 27 2007

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Xie, et al

Serial No.: 10/655,946

Examiner: Sherman, Stephen

Filing Date: September 4, 2003

Group Art Unit: 2629

Title: An Apparatus for Optical Navigation

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 12/5/2006, rejecting the following claims 1,2, 4-11, 13-18, 20-21.

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<input type="checkbox"/>	one month	\$ 120.00
<input type="checkbox"/>	two months	\$ 450.00
<input type="checkbox"/>	three months	\$1020.00
<input type="checkbox"/>	four months	\$1590.00

☐ The extension fee has already been filled in this application.

☒ (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 50-3718 the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-3718 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: OR

☒ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: Feb. 27, 2007

Typed Name: Calvin B. Ward

Signature: 

Respectfully submitted,

Xie, et al

By Calvin B. Ward  
Attorney/Agent for Applicant(s)

Reg. No. 30,896

Date: Feb. 27, 2007

Telephone No. (925) 855-0413

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Examiner: Sherman, Stephen

Filing Date: September 4, 2003

Group Art Unit: 2629

Title: An Apparatus for Optical Navigation

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Rev 10/04 (NoteAppeal)